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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/710,837	11/14/2000	Yoshiko Miyamoto	1341.1071 (JDH:MJH)	5630
21171	7590	07/01/2005	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			DUONG, THOMAS	
			ART UNIT	PAPER NUMBER
			2145	

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/710,837

Applicant(s)

MIYAMOTO, YOSHIKO

Examiner

Thomas Duong

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Request for Continued Examination***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.
2. Amendment received March 23, 2005 has been entered into record. *Claims 1-7* remain pending.

### ***Response to Amendment***

3. This office action is in response to the applicants Amendment filed on March 23, 2005. Applicant amended *claims 1 and 5-7*. *Claims 1-7* are presented for further consideration and examination.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Glass et al. (US006629128B1).
6. With regard to claims 1 and 5-6, Glass discloses,
- *a request receiving unit which receives a request from a client connected via a network to acquire an object reference for receiving a distribution of a naming service in CORBA; and* (Glass, abstract; col.1, lines 32-46; col.2, line 60 – col.3, line 13)
  - *a generating unit which generates the object reference of the naming service in a load distributed environment or a hot standby environment by dynamically setting address information contained in the object reference in accordance with connection information at a time of the request.* (Glass, col.3, lines 46-51; col.4, lines 8-12, lines 43-46; col.6, lines 31-35, lines 39-47, lines 51-54; col.7, lines 56-61; col.10, lines 48-59; fig.3-4)
- Glass anticipates an embodiment of the invention where the server “also dynamically generates remote proxies and other objects to provide communications across the network” (Glass, col.4, lines 43-46). Furthermore, Glass states that “the remote proxy generator resides in the server-side object request broker and instantiates the remote proxy class to create a remote proxy object” (Glass, col.4, lines 8-10) and that “a system constructed using the principles outlined in this patent application dynamically generates remote proxy classes as needed at run-time” (Glass, col.6, lines 51-54). Also, Glass clearly states that Glass’ “invention relates in general to the field of software systems,

*and more particularly to an improved system and method for distributed processing in a computer network*" (Glass, col.1, lines 6-8) and that *"a need has arisen for a system and method for distributed processing in a computer network that provides communications between objects distributed across the network"* (Glass, col.3, lines 62-65). Hence, Glass clearly anticipates a system for distributed processing in a computer network that dynamically generates remote proxies and other objects to provide communications across the network.

7. With regard to claims 2-4, Glass discloses,

- *wherein said generating unit generates the object reference by setting at least the arrival address information contained in the connection information as the address information.* (Glass, abstract; col.1, lines 32-46; col.2, line 60 – col.3, line 35; col.4, lines 29-38; fig.1-4)
- *said object reference generating device comprising a system structure information control unit which controls system structure information showing a structure of a system in which an object reference is applied, wherein said generating unit generates the object reference by dynamically setting address information conforming to the structure of the system based on the system structure information.* (Glass, abstract; col.1, lines 32-46; col.2, line 60 – col.3, line 35; col.4, lines 29-38; fig.1-4)

8. With regard to claim 7, Glass discloses,

- *a request receiving unit which receives a request from a client connected via a network to acquire an object reference for receiving a distribution of a naming*

*service in CORBA; and (Glass, abstract; col.1, lines 32-46; col.2, line 60 – col.3, line 13)*

- *a generating unit which generates the object reference of the naming service in a load distributed environment or a hot standby environment by dynamically setting address information contained in the object reference in accordance with connection information at a time of the request. (Glass, col.3, lines 46-51; col.4, lines 8-12, lines 43-46; col.6, lines 31-35, lines 39-47, lines 51-54; col.7, lines 56-61; col.10, lines 48-59; fig.3-4)*

Glass anticipates an embodiment of the invention where the server “also dynamically generates remote proxies and other objects to provide communications across the network” (Glass, col.4, lines 43-46). Furthermore, Glass states that “the remote proxy generator resides in the server-side object request broker and instantiates the remote proxy class to create a remote proxy object” (Glass, col.4, lines 8-10) and that “a system constructed using the principles outlined in this patent application dynamically generates remote proxy classes as needed at run-time” (Glass, col.6, lines 51-54). Also, Glass clearly states that Glass’ “invention relates in general to the field of software systems, and more particularly to an improved system and method for distributed processing in a computer network” (Glass, col.1, lines 6-8) and that “a need has arisen for a system and method for distributed processing in a computer network that provides communications between objects distributed across the network” (Glass, col.3, lines 62-65). Hence, Glass clearly anticipates a system for distributed processing in a computer network that dynamically generates remote proxies and other objects to provide communications across the network.

***Response to Arguments***

9. Applicant's arguments with respect to *claims 1-7* have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Duong whose telephone number is 571/272-3911. The examiner can normally be reached on M-F 7:30AM - 4:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 571/272-6159. The fax phone numbers for the organization where this application or proceeding is assigned are 703/872-9306 for regular communications and 703/872-9306 for After Final communications.

*Thomas Duong (AU2145)*

*June 26, 2005*

  
VALENCIA MARTIN-WALLACE  
SUPERVISORY PATENT EXAMINER